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Official Form	1 (4/07))				oamon		.go <u>-</u>	0. 10				
		τ				ruptcy of Virgin					Vol	luntary	Petition
Name of Debtor (if individual, enter Last, First, Middle): Downing, Brian Thomas					Name	of Joint	Debtor (Spo	use) (Last, Firs	t, Middle):				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):							
Last four digits of xxx-xx-8267		Sec./Complet	e EIN or ot	her Tax I	D No. (if mo	re than one, stat	e all) Last f	our digits	s of Soc. Sec	:./Complete EII	V or other T	ax ID No. (if	more than one, state all
Street Address o 1401 S. Joy Arlington, V	ce St.,		reet, City, a	and State)	:	ZIP Code		Address	of Joint Deb	otor (No. and S	treet, City, a	and State):	ZIP Code
						22202							Zii couc
County of Residence Arlington	ence or	of the Princi	pal Place of	f Busines:	s:		Coun	ty of Resi	idence or of	the Principal P	lace of Busi	iness:	
Mailing Address	s of Deb	tor (if differe	nt from stre	eet addres	ss):		Maili	ng Addre	ss of Joint D	ebtor (if differ	ent from str	eet address):	
					_	ZIP Code							ZIP Code
Location of Principle (if different from							<u> </u>						
,	Type of	Debtor			Nature	of Business			Chap	ter of Bankru	ptcy Code	Under Whi	ch
(Check one box) ■ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entities, check this box and state type of entity below.)					e) anization d States	☐ Cha ☐ Cha ☐ Cha ☐ Debidefii	apter 9 apter 11 apter 12 apter 13 apter 13 are primarily ned in 11 U.S. aurred by an in	Natur (Chec y consumer debt C. § 101(8) as dividual primaril	f a Foreign Chapter 15 F f a Foreign re of Debts k one box) s, y for	☐ Debts	eding ecognition		
		Filing For	(Chaok on		e (the Inter	nal Revenue				or household pu			
Filing Fee (Check one box) Full Filing Fee attached Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				or Check	Debtor k if: Debtor' to insid k all appli A plan Accepta	is a small but is not a small state of a small state of a small state of the small state	nsiness debtor all business deb noncontingent tes) are less that: d with this petit plan were solice	s defined in for as define liquidated on \$2,190,00 ion. ited prepeti	ded in 11 U.S. debts (exclud 00.	C. § 101(51D).			
Statistical/Adm								classes	of creditors,	in accordance THI		FOR COURT	
☐ Debtor estimular Debtor estimular between there will be	ates that	t, after any ex	kempt prop	erty is ex	cluded and	administrati		es paid,					
Estimated Numb										\dashv			
1- 49	50- 99	100- 199	200- 999	1000- 5,000	5001- 10,000	10,001- 25,000	25,001- 50,000	100,000	0 100,000				
Estimated Asset										_			
Estimated Assets \$0 to \$10,000	s	\$10,000 \$100,00			0,001 to nillion		000,001 to 0 million		More than \$100 million				
Estimated Liabil	ities	<u> </u>								\dashv			
				000,001 to 0 million		More than \$100 million							

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Official Form 1 (4/07) FORM B1, Page 2 Name of Debtor(s): Voluntary Petition Downing, Brian Thomas (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Date Filed: Location Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10O) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. X /s/ Steven B. Ramsdell, VA Bar May 31, 2007 (Date) Signature of Attorney for Debtor(s) Steven B. Ramsdell, VA Bar #33222 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Statement by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Case 07-11386-SSM Doc 1 Filed 05/31/07 Entered 05/31/07 14:00:03 Desc Main Document Page 3 of 10 Official Form 1 (4/07) FORM B1, Page 3 Name of Debtor(s): **Voluntary Petition** Downing, Brian Thomas (This page must be completed and filed in every case) Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition I declare under penalty of perjury that the information provided in is true and correct, that I am the foreign representative of a debtor in a foreign this petition is true and correct. proceeding, and that I am authorized to file this petition. [If petitioner is an individual whose debts are primarily consumer (Check only one box.) debts and has chosen to file under chapter 7] I am aware that I may ☐ I request relief in accordance with chapter 15 of title 11. United States Code. proceed under chapter 7, 11, 12, or 13 of title 11, United States Certified copies of the documents required by 11 U.S.C. §1515 are attached. Code, understand the relief available under each such chapter, and ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter choose to proceed under chapter 7. of title 11 specified in this petition. A certified copy of the order granting [If no attorney represents me and no bankruptcy petition preparer recognition of the foreign main proceeding is attached. signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b). I request relief in accordance with the chapter of title 11, United Signature of Foreign Representative States Code, specified in this petition. Printed Name of Foreign Representative X /s/ Brian Thomas Downing Signature of Debtor Brian Thomas Downing Signature of Non-Attorney Bankruptcy Petition Preparer Signature of Joint Debtor I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this Telephone Number (If not represented by attorney) document for compensation and have provided the debtor with a May 31, 2007 copy of this document and the notices and information required Date under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) Signature of Attorney setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or X /s/ Steven B. Ramsdell, VA Bar accepting any fee from the debtor, as required in that section. Signature of Attorney for Debtor(s) Official Form 19B is attached. Steven B. Ramsdell, VA Bar #33222 Printed Name of Attorney for Debtor(s) Printed Name and title, if any, of Bankruptcy Petition Preparer TYLER BARTL GORMAN & RAMSDELL, P.L.C. Firm Name Social Security number (If the bankrutpcy petition preparer is not 700 SOUTH WASHINGTON STREET, SUITE 216 ALEXANDRIA, VA 22314 an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.) Address (703) 549-5000 Fax: (703) 549-5011 Telephone Number Address May 31, 2007 Date Signature of Debtor (Corporation/Partnership) Date I declare under penalty of perjury that the information provided in

this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Bankruptcy Petition Preparer or officer, principal. responsible person,or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Official Form 1, Exhibit D (10/06)

United States Bankruptcy Court Eastern District of Virginia

In re	Brian Thomas Downing		Case No.	
		Debtor(s)	Chapter	13

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.] ____

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

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Official Form 1, Exh. D (10/06) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
The United States towards on hondrownton administration has determined that the anality assumptions
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling

I certify under penalty of perjury that the information provided above is true and correct.

Signatu	re of Debtor:	/s/ Brian Thomas Downing				
	_	Brian Thomas Downing				
Date:	Mav 31, 2007					

requirement of 11 U.S.C. § 109(h) does not apply in this district.

UNITED STATES BANKRUPTCY COURT **EASTERN DISTRICT OF VIRGINIA**

NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

<u>Chapter 7</u>: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

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B 201 (04/09/06)

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Steven B. Ramsdell, VA Bar #33222	X	/s/ Steven B. Ramsdell, VA Bar	May 31, 2007					
Printed Name of Attorney		Signature of Attorney	Date					
Address:								
700 SOUTH WASHINGTON STREET, SUITE 216								
ALEXANDRIA, VA 22314								
(703) 549-5000								
Certificate of Debtor								
I (We), the debtor(s), affirm that I (we) have received and read this notice.								
Brian Thomas Downing	X	/s/ Brian Thomas Downing	May 31, 2007					
Printed Name(s) of Debtor(s)		Signature of Debtor	Date					
Case No. (if known)	X							
		Signature of Joint Debtor (if any)	Date					

United States Bankruptcy Court Eastern District of Virginia

In re	Brian Thomas Downing	Case No.			
-		Debtor			
			Chapter	13	

DECLARATION OF DIVISIONAL VENUE

The debtor's domicile, residence, principal place of business or principal assets were located for the greater part of the 180 days preceding the filing of the bankruptcy petition in the indicated city or county [check one box only]:

Alexandria Division Cities:	Richmond Division Cities:	Norfolk Division Cities:	Newport News Division Cities:
☐ Alexandria-510	☐ Richmond (city)-760	☐ Norfolk-710	☐ Newport News-700
☐ Fairfax-600	☐ Colonial Heights-570	☐ Cape Charles-535	☐ Hampton-650
☐ Falls Church-610	☐ Emporia-595	☐ Chesapeake-550	☐ Poquoson-735
☐ Manassas-683	☐ Fredericksburg-630	☐ Franklin-620	☐ Williamsburg-830
☐ Manassas Park-685	☐ Hopewell-670	☐ Portsmouth-740	Counties:
Counties:	☐ Petersburg-730	☐ Suffolk-800	☐ Gloucester-073
Arlington-013	Counties:	☐ Virginia Beach-810	☐ James City-095
☐ Fairfax-059	☐ Amelia-007	Counties:	☐ Mathews-115
☐ Fauquier-061	☐ Brunswick-025	☐ Accomack-001	☐ York-199
☐ Loudoun-107	☐ Caroline-033	☐ Isle of Wight-093	
☐ Prince William-153	☐ Charles City-036	☐ Northampton-131	
☐ Stafford-179	☐ Chesterfield-041	☐ Southampton-175	
	☐ Dinwiddie-053		
	☐ Essex-057		
	☐ Goochland-075		
	☐ Greensville-081		
	☐ Hanover-085		
	☐ Henrico-087		
	☐ King and Queen-097		
	☐ King George-099		
	☐ King William-101		
	Lancaster-103		
	Lunenburg-111		
	☐ Mecklenburg-117		
	☐ Middlesex-119		
	□ New Kent-127		
	Northumberland-133	Date: May 31, 2007	
	☐ Nottoway-135	Date:	
	Powhatan-145		
	Prince Edward-147		
	Prince George-149	/s/ Steven B. Ramsdell, V	/A Bar
	Richmond (county)-159	Signature of Attorney	7
	☐ Spotsylvania-177	Steven B. Ramsdell, VA I	
	☐ Surry-181	·	
	☐ Sussex-183		
	☐ Westmoreland-193		
	concerning debtor's affiliate, ship pending in this Division.		

Allied Interstate 3200 Northline Ave., Suite 160 Greensboro, NC 27408

American Express P.O. Box 1270 Newark, NJ 07101-1270

Barbara Allan Barbara's Montessori School 2828 Hurst Terrace, NW Washington, DC 20016

Charlotte Perry 4933 Cherier Place, NW Washington, DC 20016

Cingular Wireless 17000 Cantrell Rd., 2nd Floor Little Rock, AR 72223-4266

Commonwealth of Virginia Dept. of Taxation P.O. Box 1880 Richmond, VA 23218-1880

Commonwealth of Virginia Dept. of Taxation P.O. Box 2156 Richmond, VA 23218

Department of the Treasury Internal Revenue Service Kansas City, MO 64999-0010

Government of D.C. Office of Tax and Revenue 941 North Capitol St., NE Washington, DC 20002

Internal Revenue Service 400 N. 8th Street, Box 76 Stop Room 898 Richmond, VA 23219 Kuder, Smollar & Friedman, PC
1350 Connecticut Ave., NW
Suite 600
Washington, DC 20036

Murray & Cavanaugh, P.C. 1901 N. Fort Myer Dr., #1100 Arlington, VA 22209-1688

Thyden, Gross & Callahan Attn: John W. Thyden, Esq. 4601 Willard Ave. Chevy Chase, MD 20815